

IN RE: PETITION FOR ZONING VARIANCE  
W/S Jarrettsville Pike, 1850' S of Manor Road  
(14824 Jarrettsville Pike)  
10th Election District  
6th Councilmanic District  
William H. Brown/Cynthia M. McNeil - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 38 feet in lieu of the required 50 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by William H. Brown, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 14824 Jarrettsville Pike, is zoned R.C. 2 and is currently improved with an existing single family dwelling. The Petitioners propose enlarging the existing kitchen and due to the location of the septic system and well, must place the proposed addition on the side as shown on Petitioner's Exhibit 1. Mr. Brown testified that he spoke to the adjoining property owners of 14822 Jarrettsville Pike who have no objection to his plans. Further testimony indicated that the side of the house where the addition is proposed will be screened from the adjoining property by woods.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety,

and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of July, 1988 that the Petition for Zoning Variance to permit a side yard setback of 38 feet in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

July 1, 1988

Mr. William H. Brown  
Ms. Cynthia M. McNeil  
14824 Jarrettsville Pike  
Monkton, Maryland 21111

RE: PETITION FOR ZONING VARIANCE  
W/S Jarrettsville Pike, 1850' S of Manor Road  
10th Election District; 6th Councilmanic District  
Case No. 88-515-A

Dear Mr. Brown & Ms. McNeil:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs  
Enclosure  
cc: People's Counsel

File



Dennis F. Rasmussen  
County Executive

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-515-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 103.5 of the Baltimore County Zoning Regulations to allow a side yard setback of 38 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)  
1) TO UTILIZE EXISTING PLUMBING AND SEPTIC FACILITIES.  
2) TO MAINTAIN PROPER DISTANCE FROM DWELLING TO SEPTIC DRAINAGE.  
3) TO MAINTAIN ARCHITECTURAL INTEGRITY WITH EXISTING DWELLING IN RELATION TO ORIGINAL STRUCTURE AS SUBMITTED TO DEVELOPER.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State  
Legal Owner(s):  
(Type or Print Name)  
Signature  
Address  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name  
Address  
City and State  
Phone No.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 50484  
DATE 4/1/88  
AMOUNT \$ 35.00  
FOR Filing Fee For Variance 14824 Jarrettsville Pike  
RECEIVED FROM William H. Brown  
BALANCE DUE \$ 35.00  
VALIDATION OR SIGNATURE OF CASHIER

"DUPLICATE"  
CERTIFICATE OF PUBLICATION

TOWSON, MD., June 2, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 2, 1988.

THE JEFFERSONIAN,  
S. Zeke Olson  
Publisher

"DUPLICATE"  
CERTIFICATE OF PUBLICATION

TOWSON, MD., June 8, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 8, 1988.

TOWSON TIMES,  
S. Zeke Olson  
Publisher

NOTICE OF HEARING  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland, on Thursday, June 2, 1988 at 9:00 a.m. to hear the Petitioner for Zoning Variance Case number 88-515-A, W/S Jarrettsville Pike, 1850' S of Manor Road, 10th Election District, 6th Councilmanic District. Petitioner(s) William H. Brown and Cynthia M. McNeil. Hearing Date: Thursday, June 2, 1988 at 9:00 a.m. Variance to permit a side yard setback of 38 feet in lieu of the required 50 feet. In the event that the Petitioner is granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing or above or presented at the hearing.

NOTICE OF HEARING  
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Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: JUN 27 1988

Mr. William H. Brown and Ms. Cynthia M. McNeil  
14824 Jarrettsville Pike  
Monkton, Maryland 21111

Re: Petition for Zoning Variance  
CASE NUMBER: 88-515-A  
W/S Jarrettsville Pike, 1850' S of Manor Road  
10th Election District - 6th Councilmanic District  
Petitioner(s): William H. Brown and Cynthia M. McNeil  
HEARING SCHEDULED: THURSDAY, JUNE 30, 1988 at 9:00 a.m.

Dear Petitioners:

Please be advised that \$34.07 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 106, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 52655

DATE 6/2/88 ACCOUNT 01-615  
AMOUNT \$ 34.07  
RECEIVED FROM William H. Brown  
FOR BALANCE DUE FOR Case 88-515-A

VALIDATION OR SIGNATURE OF CASHIER

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Dennis F. Rasmussen  
County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland, as follows:

Petition for Zoning Variance  
CASE NUMBER: 88-515-A  
W/S Jarrettsville Pike, 1850' S of Manor Road  
10th Election District - 6th Councilmanic District  
Petitioner(s): William H. Brown and Cynthia M. McNeil  
HEARING SCHEDULED: THURSDAY, JUNE 30, 1988 at 9:00 a.m.

Variance to permit a side yard setback of 38 feet in lieu of the required 50 feet.

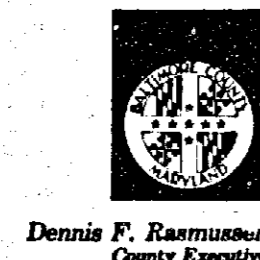
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County  
cc: Petitioners  
File

Baltimore County  
Fire Department  
Towson, Maryland 21204-2536  
494-4500

Paul H. Reincke  
Chief  
J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

May 12, 1988



Re: Property Owner: William H. Brown & Cynthia M. McNeil

Location: W/S Jarrettsville Pike, 1850' S. Manor Road

Item No.: 375 Zoning Agenda: Meeting of 4/26/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*  
Planning Group  
Special Inspection Division

Noted and

Approved:

Fire Prevention Bureau

/s/

# BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

RECEIVED ZONING OFFICE

DATE: 5/17/88

TO: J. Robert Haines  
Zoning Commissioner

Date: May 12, 1988

FROM: P. David Fields, Director  
Office of Planning and Zoning

SUBJECT: Zoning Petitions 88-505-A, 88-510-A, 88-511-A,  
88-512-A, 88-513-A, 88-515-A, 88-516-A, 88-517-A,  
88-518-A, and 88-519-A

There are no comprehensive planning factors requiring comment on the subject petitions.

*P. David Fields per [Signature]*  
P. David Fields, Director  
Office of Planning and Zoning

PDP/jat  
cc: Shirley Hess, People's Counsel  
J. G. Howell  
Zoning Office

cc: Mr. William H. Brown, et al

5-17-88

CPS-008

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 6, 1988

Mr. William A. Brown &  
Ms. Cynthia M. McNeil  
14824 Jarrettsville Pike  
Monkton, Maryland 21111

RE: Item No. 375 - Case No. 88-515-A  
Petitioner: William A. Brown & Cynthia M. McNeil  
Petition for Zoning Variance

Dear Mr. Brown & Ms. McNeil:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:dt  
Enclosures



Maryland Department of Transportation  
State Highway Administration

Richard M. Traylor  
Secretary  
Hal Kassoff  
Administrator

April 28, 1988

RE: Baltimore County  
William H. Brown and  
Cynthia M. McNeil  
Property  
W/S Jarrettsville Pike  
Maryland Route 146  
1850' south of Manor Road  
Item No. 375

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204  
Att: James Dyer

Dear Mr. Haines:

After reviewing the submittal for a variance to permit a side yard setback of 38 feet in lieu of the required 50 feet, the State Highway Administration-Bureau of Engineering Access Permits finds the site plan generally acceptable.

If you have any questions, please contact Larry Brocato of this office (333-1350).

Very truly yours,

*Clinton J. Mills, Jr.*  
Clinton J. Mills, Jr.  
Chief-Bureau of Engineering  
Access Permits

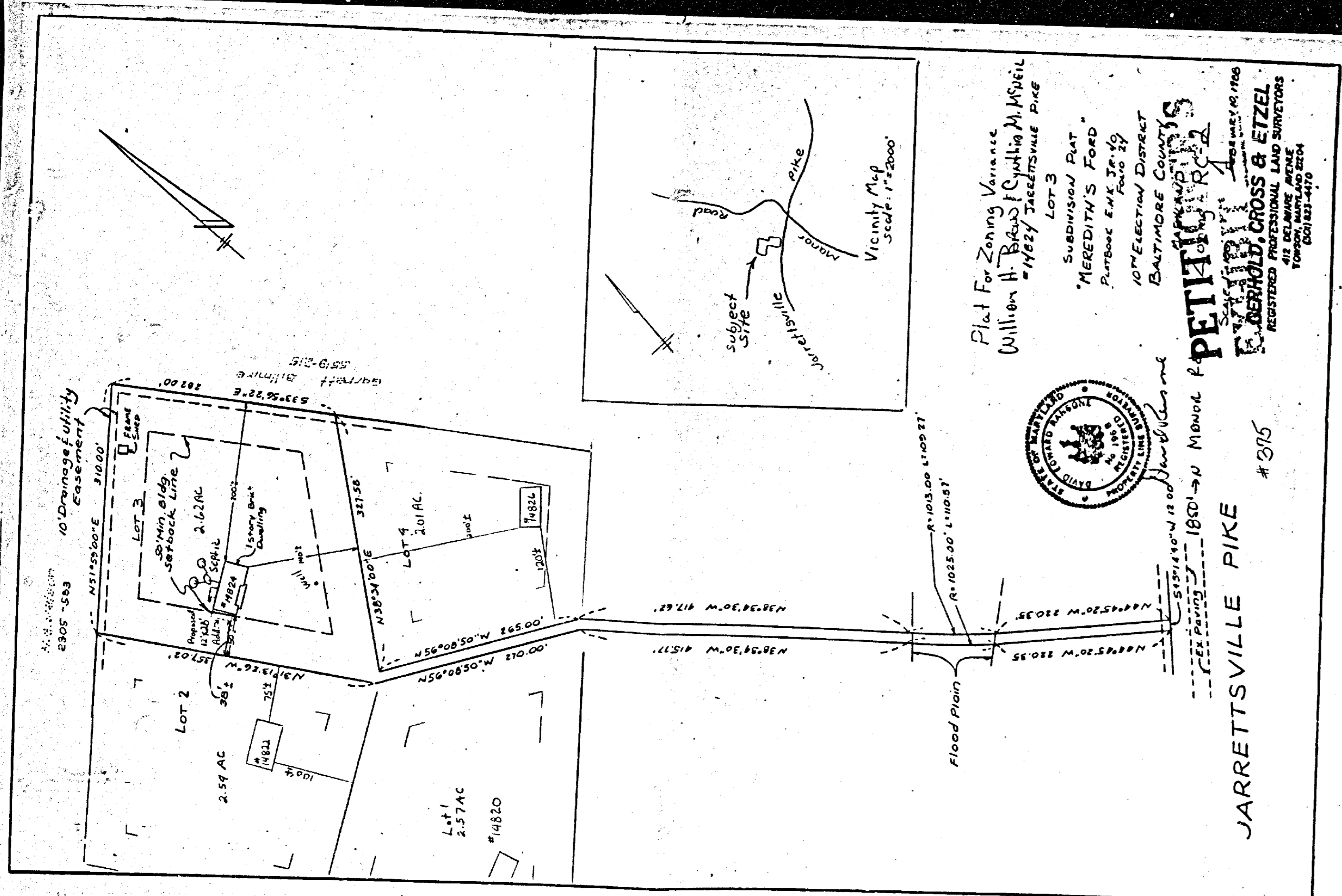
LB/es

cc: J. Ogle

RECEIVED  
MAY 3 1988  
ZONING OFFICE

My telephone number is (301) 333-1350

Teleprinter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 1-800-461-D.C. Metro - 1-800-482-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717



Attorney  
Cynthia M. McNeil  
Petitioner  
Zoning Plans  
Advisory Committee

Received by: William A. Brown & Cynthia M. McNeil  
ZONING COMMISSIONER

Robert Haines  
ZONING COMMISSIONER

29th day of April, 1988.

Your petition has been received and accepted for filing this

111 W. Chesapeake Ave.  
Towson, Maryland 21204

County Office Building  
Baltimore County Office of Planning & Zoning

88-515-A

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building, Suite 405  
Towson, Maryland 21204  
494-3354

May 19, 1988



Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 374, 375, 376, 377, 378 and 380.

Very truly yours,

*Stephen E. Heber, P.E.*  
Stephen E. Heber, P.E.  
Assistant Traffic Engineer

SEW/RF/pml-b

RECEIVED  
MAY 23 1988  
ZONING OFFICE